


JC1 [redacted] c'd PCT/PTO SEP 19 2001

## VIA FIRST CLASS MAIL

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Elisabetta Padovan et al.  
Serial No. : 09/869,027  
Filed : June 22, 2001  
For : PENICILLINS AS PHARMACEUTICALS FOR THE DOWN REGULATION OF IFN $\gamma$  PRODUCTION  
Examiner : UNKNOWN  
Group Art Unit : UNKNOWN

September 17, 2001

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION

SIR:

This is in response to the Notification of September 11, 2001.

There are no amino acid or nucleotide sequences presented in this application. This was explained to Ms. Washington at great length.

If the PTO can point to specific evidence of relevant sequences, applicant will address this. At this point, the USPTO is delaying examination and is reducing the term of any U.S. patent which will issue in this case.

Appropriate action, i.e., the immediate withdrawal of the requirement is solicited.

Respectfully submitted,

FULBRIGHT &amp; JAWORSKI L.L.P.

By 

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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869027	PADOVAN, ELISABETTA	HUBR-1190(10104965)

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INTERNATIONAL APPLICATION NO.

PCT/EP99/10378

I.A. FILING DATE	PRIORITY DATE
23 DEC. 99	23 DEC. 98

DATE MAILED: 11 SEP 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☒ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☒ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(c), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:**

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,  
(703) 287-0200, for PatentIn software help.

CHRISTINE WASHINGTON  
Telephone: 703-305-3752

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